

REMARKS

Claims 1-32 are pending in this application. Claims 26-32 are withdrawn from consideration. By this Amendment, claims 1, 16, 20, 21, 26 and 27 are amended. Support for the amendments can be found, *inter alia*, at paragraphs [0138]-[0142] and Figs. 12A-C, and paragraphs [0108]-[0113] and Fig. 11A of the application as filed. Reconsideration based on the amendments and following remarks is respectfully requested.

I. The Claims Define Allowable Subject Matter

The Office Action rejects claims 1, 2, 7-11, 15-17, 18 and 20-23 under 35 U.S.C. §102(b) as being anticipated by Miyachi (U.S. Patent No. 6,400,456); claims 3-6, 12, 13 and 19 under 35 U.S.C. §103(a) as being unpatentable over Miyachi in view of Hagiwara et al. (U.S. Patent Application Publication No. 2002/0041377); and claims 14 and 24 under 35 U.S.C. §103(a) as being unpatentable over Miyachi in view of Nei et al. (U.S. Patent Application Publication No. 2006/0238730). The rejections are respectfully traversed, because the claims as amended overcome the rejection.

The Office Action asserts that Miyachi, either alone or in combination with Hagiwara and/or Nei, teaches or would have rendered obvious at the time of filing all of the currently claimed combination of features. Applicants respectfully disagree. Specifically, Applicants amend claims 1, 26 and 27 to similarly recite further details of the surface shaped detection system. Specifically, and for example, claim 1 as amended recites "wherein the surface shaped detection system having a plurality of measurement points that are along a first direction orthogonal to the optical axis, the measurement points configured to cover a length of the surface of the object along the first direction." Applicants respectfully submit that none of the applied references teach or would have rendered obvious this feature of the surface shaped detection system.


Further, Applicants' claim 16 as amended recites that the "information related to the surface shape of the entire surface of the object is detected during a single passage of the object through a detection area prior to disclosure." As such, Applicants' further definition of a detection process overcomes the rejection. None of the applied references, either alone or in combination, teach or would have rendered obvious such a feature. Accordingly, withdrawal of the rejections of claims 1, 16, 26 and 27, and claims depending variously therefrom is respectfully requested.

II. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



Mario A. Costantino
Registration No. 33,565

Richard A. Castellano
Registration No. 61,961

MAC:RAC/amt

Attachment:
Petition for Extension of Time

Date: May 29, 2009

OLIFF & BERRIDGE, PLC
P.O. Box 320850
Alexandria, Virginia 22320-4850
Telephone: (703) 836-6400

| |
|---|
| <p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p> |
|---|